

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2124.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO PULP.

On October 30, 1911, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 330 five-gallon cans of tomato pulp remaining unsold in the original unbroken packages at Fowler, Ohio, alleging that the product had been shipped on or about October 3, 1911, by the Knightstown Conserve Co., Knightstown, Ind., and transported from the State of Indiana into the State of Ohio and charging adulteration in violation of the Food and Drugs Act. The product bore no label.

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a vegetable substance which was affected with and showed an abnormal quantity of yeasts and spores, together with bacteria and mold filaments, the presence of which in the product rendered it a filthy, decomposed, and putrid vegetable substance, unfit for food or as an ingredient of food.

On April 27, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal and that the costs of the proceedings should be taxed against the said Knightstown Conserve Co.

WILLIS L. MOORE,
Acting Secretary of Agriculture.

WASHINGTON, D. C., December 17, 1912.